



STATE OF MAINE
PUBLIC UTILITIES COMMISSION
242 STATE STREET
18 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0018

THOMAS L. WELCH
CHAIRMAN

STEPHEN L. DIAMOND
SHARON M. REISHUS
COMMISSIONERS

December 22, 2003

Burton Weed, Chairman
Lincoln Water District
P. O. Box 306
Lincoln, ME 04457

RE: LINCOLN WATER DISTRICT
Proposed Rate Change
Docket No. 2003-758

Dear Mr. Weed:

On October 15, 2003, the Lincoln Water District filed information with the Commission pursuant to 35-A M.R.S.A. § 6104. The filing proposed to increase operating revenues by \$84,334 or 18.6% over actual 2002 revenues.

The District published notice of its public hearing in the November 6, 2003 edition of the Lincoln News. The District held a public hearing on the proposed rate changes in the Town Council Chambers on November 19, 2003. On December 1, 2003, the District filed its Schedule of Rates consisting of Sheets 1 through 3, all Second Revision and Sheet 4, First Revision.

Section 6104(3) requires that the utility publish notice of the hearing in a newspaper of general circulation in the area, at least 14 days prior to the hearing, and specifies certain information that must be included in the notice. The Lincoln Water District did publish a notice in the Lincoln News, but failed to publish that notice 14 days prior to the date of the hearing. However, the individual notices to customers, mailed on November 5, 2003, complied with these requirements. Thus, the District's attempt to change its rates under Section 6104 failed. The District did satisfy all of the other requirements of Section 6104. The Commission processed the requested rate change pursuant to 35-A M.R.S.A. § 307 because of the procedural failure of the Section 6104 filing.

The Commission considered the Lincoln Water District's proposed rate changes at its deliberations on December 22, 2003. Based upon the information presented and the absence of a petition or complaints from the District's customers, the Commission decided that further investigation is unnecessary and that it will not suspend the operation of the proposed schedule. Accordingly, the Schedule of Rates, consisting of Sheets 1 through 3— all Second Revision and Sheet 4, First Revision, filed on December 1, 2003, will become effective by operation of law on January 1, 2004.

While we see no useful purpose in investigating this matter further, we remind the Lincoln Water District that it must comply with all aspects of Maine law, including public notice requirements.

By allowing the schedule of rates to become effective by operation of law, the Commission does not explicitly or implicitly approve the proposed rate changes. A copy of the Schedule of Rates is attached for your reference.

Sincerely,

Dennis Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Diamond
Reishus

Enclosure

PHONE: (207) 287-3831 (VOICE)

PRINTED ON RECYCLED PAPER
TTY: 1-800-437-1220

FAX: (207) 287-1039